

Change of Zone No. 3410

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.63.470 of the Lincoln Municipal Code
2 to allow an automobile wash facility and truck wash facility as an allowed use in a planned
3 service commercial development by special permit in the H-4 General Commercial District;
4 and repealing Section 27.63.470 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 27.63.470 of the Lincoln Municipal Code be amended
7 to read as follows:

8 **27.63.470 Permitted Special Use: Planned Service Commercial.**

9 Planned service commercial development may be allowed by special permit in the H-4
10 General Commercial District under the following conditions:

11 (a) The uses approved within a planned service commercial development shall be
12 limited to:

- 13 (1) Automobile, motorcycle, and four-wheel truck sales;
14 (2) Warehouses;
15 (3) Mini-warehouses;
16 (4) Wholesale and distribution centers not exceeding 30,000 square feet in
17 floor area per building, provided outside storage is permitted only when the storage area is
18 enclosed with a solid fence, wall, and gates eight feet in height and the stored material and
19 equipment is less than the height of the fence, wall, and gates enclosing the storage area. The
20 fence, wall, and gates shall be located where buildings are permitted;

1 (5) Service centers for the repair of household appliances and lawn and
2 garden equipment, provided outdoor storage of items to be repaired are permitted only when
3 the storage area is enclosed with a solid fence, wall, and gates eight feet in height and the
4 items to be repaired are less than the height of the fence, wall, and gates enclosing the storage
5 area and no salvage or scrap processing operation shall be permitted. The fence, wall, and
6 gates shall be located where buildings are permitted;

7 (6) Dwellings for caretakers employed and required to reside on the
8 premises;

9 (7) Ambulance services;

10 (8) Hospitals and clinics for animals but not open kennels;

11 (9) Contractors' office and storage, including electrical, plumbing, heating,
12 and air-conditioning contractors, provided outdoor storage of equipment and materials shall
13 be permitted only when the storage area is enclosed with a solid fence, wall, and gates eight
14 feet in height and the stored equipment and material are less than the height of the fence, wall,
15 and gates enclosing the storage area. The fence, wall, and gates shall be located where
16 buildings are permitted;

17 (10) Restaurants;

18 (11) Service stations;

19 (12) Stores or shops for retail sales and services not exceeding 30,000 square
20 feet in floor area per building; provided, there is at least four and one-half square feet of land
21 area excluding other uses and their accessory uses within the approved special permit area per
22 one square foot of floor area;

23 (13) Food storage lockers;

24 (14) Clubs, provided the activities are located no less than 150 feet from an
25 abutting residential district;

1 (15) Private recreational facilities; provided they are located within the
2 building and no less than 150 feet from an abutting residential district;

3 (16) Offices not exceeding 15,000 square feet of floor area per building;
4 provided that there is at least four and one-half square feet of land area excluding other uses
5 and their accessory uses within the approved special permit area per one square foot of floor
6 area;

7 (17) Early childhood care facilities, provided that such facilities shall be
8 fenced and have play areas that comply with the design standards for early childhood care
9 facilities. In addition, such facilities shall comply with all applicable state and local early
10 childhood care requirements and all applicable building and life safety code requirements;

11 (18) Cabinet shops and stores; provided that the total floor area of the
12 operation does not exceed 5,000 square feet and that all materials, both raw and finished, be
13 stored inside;

14 (19) Churches;

15 (20) Automobile repair, including vehicle body repair shops, provided that
16 all disabled vehicles and all new and used parts are stored inside the building only;

17 (21) Private schools;

18 (22) Banks, savings and loan associations, credit unions, and finance
19 companies;

20 (23) Broadcast towers;

21 (24) Automobile/truck wash facility:

22 (i) Automatic, conveyor-operated: The length and location of vehicle
23 stacking lane or lanes for the approach side or sides and the exit side or sides of the wash
24 operation shall be in conformance with the Guidelines and Regulations for Driveway Design
25 and Location as adopted by the City of Lincoln.

1 (ii) Self-service, coin-operated: The length and location of vehicle
2 stacking lane or lanes for the approach side or sides and the exit side or sides of the wash
3 operation shall be in conformance with the Guidelines and Regulations for Driveway Design
4 and Location as adopted by the City of Lincoln..

5 (b) An applicant for a special permit under the provisions of this section shall com-
6 ply with environmental performance standards relating to noise, emission, dust, odor, glare,
7 and heat as shall be from time to time established for those districts requiring use permits.

8 (c) Each application for a special permit under this section shall include a landscape
9 plan which shall show proposed plantings in conformance with city standards in all required
10 yard areas, open space areas, malls, parking areas, and around proposed buildings. The
11 applicable standards shall be those adopted by resolution of the City Council for those districts
12 requiring use permits.

13 (d) The City Council may increase or decrease the height and area regulations and
14 the floor area to land area ratios otherwise applicable in the H-4 General Commercial District,
15 consistent with adequate protection of the environments of adjacent land uses;

16 (e) That the land surrounding the tracts for the proposed planned service
17 commercial development will not be adversely affected;

18 (f) That upon approval of a planned service commercial development, the land pro-
19 posed to be included within such development shall not be developed for or devoted to any
20 other permitted use or specially permitted use of the H-4 General Commercial District, except
21 those specifically approved in the special permit authorizing the planned service commercial
22 development, unless an amendment thereto has been approved by the City Council in
23 accordance with the procedures set forth for approving special permits generally.

24 Section 2. That Section 27.63.470 of the Lincoln Municipal Code as hitherto
25 existing be and the same is hereby repealed.

1 Section 3. That this ordinance shall take effect and be in force from and after
2 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor